

UNITED STATES BANKRUPTCY COURT
for the Eastern District of Pennsylvania

In re	:	Case No. 20 - 13790
William E. Bailey & Ethailia Frink	:	(Chapter 13)
Debtors.	:	Hon. Magdeline D. Coleman
	:	

Debtor's Response to Creditor's,
U.S. Bank Trust, N.A., Motion for Relief

AND NOW, come Debtors, William E. Bailey & Ethailia Frink, by and through their attorney, Ronald G. McNeil, Esquire, hereby respond to Creditor's, U.S. Bank Trust, N.A., Motion for Relief from the Automatic Stay, and, as reasons therefor, state as follows:

1 - 6. admitted

7. Debtors deny the allegations of paragraph seven (7). Notwithstanding this denial, Debtors state that they are not receiving proper credit for their post petition mortgage payments. A copy of their recent mortgage payments are attached hereto and marked as Exhibit "A."
8. The allegations of paragraph eight (8) are a conclusion of law for which no response is required and therefore deny the same.
- 9-11. Debtors deny the allegations of paragraphs nine (9) through eleven (11). Notwithstanding this denial, Debtors state that Movant lacks cause to terminate the Automatic Stay.

NEW MATTER - AFFIRMATIVE DEFENSES

First Affirmative Defense

12. Creditor's motion fails to state a cause of action upon which relief can be granted.

Second Affirmative Defense

13. Movant has been afforded adequate protection of its interest.

Third Affirmative Defense

14. Debtors' interest in this property and possession thereof is necessary to an effective reorganization.

Fourth Affirmative Defense

15. Even if Movant is entitled to relief from the stay, the stay should not be terminated. This Court should grant less drastic relief by conditioning or modifying the stay.

WHEREFORE, Debtors respectfully request that this Honorable Court deny creditor's Motion for Relief from the Automatic Stay.

Respectfully submitted,

/s/ Ronald G. McNeil
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